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**Only Repeal Can End the Multiple Menace to Political Freedom of the Internal Security Act, See Page 3**

# I. F. Stone's Bi-Weekly

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# While We Talk of Ending The Cold War

It is difficult to see what if anything is happening in regard to the problem of peace. Perhaps a good point to begin is with a story in *The Times* of London which indicates that not much of anything really is happening. *The Times* reported from Paris (Dec. 17) that at the opening of the NATO Council meeting Paul Spaak of Belgium had made so angry a speech attacking the "immobilism" of the Western alliance that his remarks were "suppressed by the NATO secretariat." Apparently M. Spaak's speech had to be obtained from other sources. *The Times* said "one diplomatist" had informed it M. Spaak "advocated that the West should get in a few ideas of its own without waiting for Russia to take the initiative." President Johnson's glorified barbecue with Chancellor Erhard deep in the heart of Texas does not seem to have changed this situation. "No new initiatives are immediately planned," Caroll Kilpatrick reported from Austin in the *Washington Post* Dec. 30. "The Chancellor stressed, and the President agreed, that any new agreement depends upon a change of attitude in the Kremlin."

### Rusk Took A Hard Line in Paris

What this means, in effect, is that any substantial step toward relaxation of tension depends on a Russian willingness to surrender on Germany. This becomes clearer if one looks at the NATO speeches as reported in *Le Monde* of Paris (Dec. 17-18-19) which gave by far the fullest coverage. It appears from these that the dividing line in NATO is between those who would subordinate all else to the German problem and those who would postpone German unification while solving less difficult questions. According to *Le Monde*, M. Halvard Lange of Norway, in supporting M. Spaak, said NATO ought to "avoid a static attitude." If there was no chance at the moment to solve the German problem, "one could by stages," he proposed, "improve East-West relations by accords on 'peripheral' problems." This point of view was shared by the British, the Canadians and the Danes but opposed by the Germans, French, Dutch and Turks with the support of the Secretary of State. "His language," André Fontaine said of Mr. Rusk (*Le Monde*, Dec. 18) "hardly differed from that of M. Couve de Murville."

The only difference which appeared at the NATO Council between Mr. Rusk's position and that of the German Foreign Minister, Herr Schroeder, was that the Secretary of State expressed the view (somewhat to the dismay, it later appeared, of the State Department) that it was in the West's interest that Khrushchev's policy of co-existence should prevail over Mao Tse-tung's more belligerent stance. The German Foreign Minister, on the other hand, seemed to have reverted to the paranoid politics of the Dulles era; he thought Mao less dangerous and regarded peaceful co-existence as "an instrument that Moscow uses to divide the alliance" (*Le Monde*, Dec. 17). Herr Schroeder claimed to be an advocate of "movement" but not apparently in any peaceful direction. He opposed long term credits to Moscow (as did Mr. Rusk) lest this "permit it to resume its politics of intimidation and tension" and he pictured the Soviet campaign for an agreement against the proliferation of nuclear weapons as a sinister effort to prevent the establishment of a multilateral NATO nuclear force. These positions make it easier to understand the headlines from Texas two weeks later, "Thaw in Cold War Doubtful, Erhard Cautions Johnson" (*Washington Star*, Dec. 29). It certainly is, if the Germans have their way.

It would be a mistake, however, to blame all this on the Germans. Though President Johnson has twice spoken of his desire to end the cold war, first at his December 13 diplomatic reception and again in his Dec. 17 address to the UN, the country, the press, and the government are all geared the other way. This was reflected in the difference between the *New York Times* and the London *Times* in their treatment, on the eve of the NATO Council meeting, of Khrushchev's closing speech to the Central Committee in Moscow Dec. 13.

*(Contined on Page Four)*

### Air Force Intelligence at Work

**It isn't often that we can get a glimpse of the thinking which goes on in Air Force Intelligence. A rare insight of this kind was unwittingly provided by the Washington Post (Dec. 20) in assigning a new book on national security to review by a Robert A. Kilmarx (what a lovely name for a Pentagon official!) who is special adviser to the assistant chief of staff of Air Force Intelligence.**

**Mr. Kilmarx wrote that the book came "at a most fortunate time" because the signing of the nuclear test ban treaty had created the danger of a "euphoria about national security" which could be "compounded by apathy toward cold war conflict" especially if the Soviets "continue to avoid precipitating major crises." This is the first mention we have seen of what might be called a crisis gap. Perhaps the CIA can fill it by fabricating some crises of its own.**

**We were especially fascinated by Mr. Kilmarx's fear that President Kennedy's assassination "may have reinforced this danger, since the forces of intolerance, hatred and extremism which many people apparently believe contributed to his death may be viewed as the product of cold war instability, ideological conflict and economic frustration." In other words the killing may have led the American people to wonder about the effects upon them of that system of perpetual fear and hatred we call the cold war. This Air Force expert seems to think such moments of sober reflection, though rare, are a menace to national security.**



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**Hilsman's Naive Self-Righteousness Contrasted With De Gaulle's Astute Politics**

# Still A Long Way to Go Before We Get Back to Reality in the Far East

Three points strike one about the Roger Hilsman speech in San Francisco "opening the door" to improved relations with Communist China. One is its naive self-righteousness. "These," Mr. Hilsman said of Peking's rulers, "are the 'Marxist Puritans:' they see all the world as a conflict between unblemished good and unredeemable evil . . . there are few people on earth as sublimely confident as are the Chinese Communist leaders that they are always right and good." One of the few people this description fits is ourselves, particularly the State Department crowd—their customary view of the world is just such a simple-minded black-and-white. "We are confronted," the Assistant Secretary of State for Far Eastern Affairs said, "with a regime which . . . has used hatred as an engine of national policy. The U.S. is the central figure in their demonology." How aptly this applies to our China policy.

## Why China Wants The Bomb, Too

The second point is that the State Department does not seem to realize that its emphasis on the differing Russian and Chinese attitudes toward "the realities of the nuclear age" is susceptible of very different interpretation in Peking. Our relations with Russia are better than those with China not just because Moscow is more aware than Peking of the nuclear peril but because Moscow has the H-bomb, too, and its possession forces us to be more sober in our dealings with the Russians. The Chinese may well feel that the "realities of the nuclear age" dictate a tremendous effort to obtain its weapons, too, so that they can, like the Russians, exact a mutual fear and respect in their relations with Washington. From this viewpoint our rude and swift rejection of every offer they have made for a "nuclear free Pacific" may yet prove a serious error on our part since that proposal implied Peking's readiness to give up any attempt to obtain nuclear weapons.

The third point is the width of the gulf which separates the two capitals. In the U.S. political frame of reference, this speech marks an advance toward realism in the Far East, but that is also an indicator of how far from reality we have drifted. In the Chinese frame of reference, this patronizing lecture, with its childish conspiratorial notion of somehow dividing the younger Communist leadership from the elder and its praise of Chiang's regime in Formosa, must make us look as if we are still living in a dream world. De Gaulle's politics by comparison are subtly aware of realities and their possibilities. This is that China is prepared, in return for better relations with France and the West, to see South-East Asia stabilized and neutralized even though in a way which would restore French cultural and economic hegemony in the regime. This is the deal shaping up between Peking and Paris, and it makes sense. We by contrast still oppose a conference on Cambodia lest it open the door also to peace in South Vietnam. In this respect, from China's standpoint, we remain a dangerous Canute in Far Eastern waters.

### Unfit to Print?

**There were two omissions by the New York Times (Dec. 11) when it reprinted from the New Republic Jean Daniel's account of his interviews with Kennedy and Castro. M. Daniel wrote that he asked the President "Could the U.S. tolerate economic collectivism" and Kennedy replied: "What about Sekou Toure? And Tito? I received Marshal Tito three days ago and our discussions were most positive." This was omitted by the Times. It also omitted Castro's comment, "Why am I not Sekou Toure? Because the Russians have never done us any injury such as the Yugoslavians and the Guineans have complained of in the past, and because the Americans have never given us any of the benefits for which these two nations congratulate themselves today." This indicates that Castro might assume a neutralist position, too, if he met with friendliness. Why did the editors of the New York Times consider this unfit to print?**

BITTER PILL FOR EASTLAND: The grounds on which the Court of Appeals has for the second time reversed the contempt conviction of newspaperman Robert Shelton promise trouble for Eastland in the suit brought against him by the Southern Conference Educational Fund. For the raid upon the SCEF, like the subpoena for Shelton, was never authorized by the Senate Internal Security subcommittee. . . *We salute in the passing of A. J. Liebling a great reporter and a great critic of the U.S. press.*

## One Lone Senate Voice and Indian Protest Against U. S. Navy's Latest Expansion

**"I invite attention to the latest maneuver in the Pentagon in connection with foreign aid. This is the expansion of both the military aid program and the presence of American military forces—at one and the same time—into southern Asia.**

**"Over the years, one of the largest of all U.S. military aid programs has seen billions go to Pakistan on the theory that she was a partner with us against Communist aggression. That theory has already proved fallacious. But the only response the Pentagon is able to come up with in such matters is to throw good money after bad.**

**"So it is programming a military aid program for India that is on about the same scale as that for Pakistan. I am satisfied that if any use of our aid to these countries ever occurs, it will be against each other and not against any Communist power.**

**"But the Pentagon is [also] preparing to send American naval forces into the Indian Ocean on a permanent basis for the first time. Expansion of the fleet into the Indian Ocean is described in one press report as achieving what it calls a long-standing ambition of the Navy.**

**"I do not doubt that the U.S. Navy is anxious to replace the British Navy in international waters. But I remind the Pentagon that the only reason the British Navy is no longer dominant on the seven seas is that the British taxpayer went broke trying to support a worldwide network of naval forces, colonies, enclaves, lifelines, army and navy forces, and puppet governments.**

**"At the rate the Pentagon is going, we Americans have the same fate in store."**

*—Morse (D. Ore.) in the Senate Dec. 16 (abridged).*

**"By what right except that of sheer military power does the U.S. propose to police the Indian Ocean?"**

*—Times of India quoted in London Times Dec. 17.*

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**Only Repeal Can End The Multiple Threat of This Thought Control Ruling**

# Menace of the Internal Security Act Not Ended by Registration Ruling

We predicted many months ago that the Supreme Court would eventually throw out the registration provisions of the Internal Security Act as unenforceable under the Fifth Amendment, since anyone signing a registration statement would incriminate himself. Such a final decision is brought closer by the unanimous opinion with which Judges Bazelon, Washington and McGowan on the Court of Appeals ruled against the government's move to punish the Communist Party for failure to register with the Subversive Activities Control Board under the Act. But this decision, even when upheld by the Supreme Court, as we believe it will be, will not finish off this sinister piece of thought control legislation which Congress passed 13 years ago over Harry Truman's veto, itself a message in the best Jeffersonian tradition.

## Many Issues Still Pending

The Court will still have to decide (in the Gus Hall and Ben Davis cases) whether known officials of the Party can use the 5th amendment to evade orders to register the Party, and whether (in the Albertson and Proctor cases) known members of the Party can use the 5th amendment to defy orders to register personally as member of the Party, or face the fantastic penalties of 5 years in jail, a $10,000 fine for every single day in which they fail to register. Still to be decided (in the Flynn and Aptheker cases) is whether passports can be denied to members of organizations ordered to register, and whether organizations ordered to register can be forced to label their publications as subversive.

The Court will have to decide (as in the Robles case in Seattle) whether a member of an organization ordered to register can be punished as a criminal for working in a defense plant. It will also have to decide (in the Mine, Mill case) whether a trade union can be adjudged "Communist infiltrated" because elected officers, whether or not Communist party members, acted to support Communist causes, even though these causes were in themselves lawful.

Most important of all there will be appeals from two of the Communist "front" cases handed down by the Court of Appeals the same day. The order against the Veterans of the Abraham Lincoln Brigade was based on evidence so stale and dubious (see the Bazelon dissent at the top of col. 2) that the Court itself invited a petition for reconsideration, an almost unprecedented gesture. The other order, against the American Committee for Protection of Foreign Born, raises the question (see the Bazelon dissent below) of whether people can be punished as "fronters" for carrying on activities in themselves entirely lawful. We believe that the Supreme Court will uphold Judge Bazelon's view that this cannot be done under the First Amendment.

But even if all these cases are won, the Subversive Activities Control Board could still live on as an administrative agency empowered to put radical organizations and publications out of business by branding them with a scarlet letter. Only the repeal of the Act can end its multiple threat to free political discussion.

### Once A Communist, Alawys A Communist?

**"The hearings were held in 1954 and much of the evidence dates back to the late 1930s and early 1940s. As the court points out, our relations with the Soviet Union have shifted radically in the meantime. The Republican cause in the Spanish Civil War engaged the loyalties of sincere democrats as well as Communists.**

**"The evidence about Harold Smith goes back to 1946, when Earl Browder was expelled from the Party and Smith, his bodyguard, remained loyal to him. Continued loyalty to a man who was expelled in 1946 does not support an inference that Smith was a party functionary in 1952.**

**"The record was stale when the Board made its findings. In the 8 years since then there have been turbulent changes in world affairs . . . the views of many who were sympathetic to the Communist cause have undergone profound change, particularly after the brutal suppression of the Hungarian revolt in 1956."**

*—Judge Bazelon dissenting in the Court of Appeals from the order requiring the Veterans of the Abraham Lincoln Brigade to register as a Communist front.*

### The Majority's Tortured Reasoning and Bazelon's Dissent in the Foreign Born Case

**"The Committee for the Protection of the Foreign Born undoubtedly devoted the major portion of its efforts to contesting the deportation of aliens. . . . But the protection of the rights of the foreign-born is not only a laudable objective; it is a basic one in this country. . . . What, then, of an organization which vigorously devotes itself to the protection of the rights of all and any foreign born who seek its help? Is it to be held a Communist front because the ends sought are Communist aims? Of course not. But . . . the Congress . . . found as a fact that these [Communist] action organizations operate to a substantial extent through 'fronts,' which in most instances are used, created or used in such manner as to conceal their true character and purposes, and that a result of this method is to obtain support from persons who would not extend such support if they knew the true purposes."**

*—Judge Prettyman with Danaher in a 2-to-1 Court of Appeals opinion upholding the Subversive Activities Control Board order to register the American Committee for Protection of the Foreign Born as a Communist front under the Internal Security Act.*

**"Congress chose not to outlaw the Communist Party or prohibit all its activities. Besides the objectives of overthrowing the government and establishing a dictatorship, the Party has innocent objectives and activities . . . e.g., promoting school integration . . . contesting the deportation of aliens. . . . Most of the severe penalties of the Act apply not only to members of Communist-action organizations but to members of Communist fronts also. These sections . . . make it unlawful for members of either sort of organization to hold any non-elective office or employment under the United States, or to be employed by any labor organization, or to use a passport, or even to apply for a passport . . . their severity shows that Congress had no intention of inflicting them on otherwise innocent people merely because of membership in otherwise innocent organizations that the Communist Party uses to advance an innocent aim. . . .**

**"Activities protected by the First Amendment cannot be restrained because of association with an organization some of whose activities are not so protected."**

*—Judge Bazelon dissenting.*

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# K's Troop Cut Offer Buried or Belittled in U.S. Press

*(Continued from Page One)*

From the standpoint of arms reduction the most important point in the Khrushchev speech was his reaction to Secretary McNamara's speech of Nov. 18 to the Economic Club of New York. In that speech the Defense Secretary disclosed that the supposed gap between the conventional forces of East and West was as fictional as the earlier bomber and missile gaps, that NATO now had bigger ground forces than the Warsaw Pact and more men on the ground in Central Europe than does the bloc. Khrushchev in reply pointed out that the West had hitherto rejected proposals for reductions in conventional forces on the ground that the Soviets had so many more men under arms. Since McNamara now believed that the West had a clear superiority, "why don't you proceed now," Khrushchev asked, "toward an agreement on the reduction of armed forces and armaments?" This was coupled with an announcement of some reduction in the Soviet military budget for 1964.

## Johnson Encouraged Arms Agency

*The Times* in London (Dec. 16) headlined this, "Mr. K's Hint Opens New Prospects" and accompanied it with an optimistic story from its Washington correspondent. The latter reported the announcement was greeted hopefully in Washington where it was felt that "a reduction or levelling off of defense expenditures could be the beginning of a new chapter of negotiations." The Khrushchev speech had coincided with a White House meeting to discuss the new Geneva talks and Disarmament Agency officials, according to the London *Times* man, had emerged from these talks encouraged by Johnson's "strong support. He (Johnson) said . . . he would prefer to solve the peace question more than any other." But State Dept. officials seem to talk differently for home consumption. The Khrushchev speech had hardly come off the ticker before U.S. correspondents were summoned in for a private briefing designed to bury or belittle it. The *New York Times* like the rest of our press accompanied the story from Moscow with disparaging comment from Washington.

There is more involved here than a press and a bureaucracy brainwashed by years of cold war. Secretary McNamara's speech was not intended to ease the way for arms reduction talks but to get rid of "misleading or obsolete notions" which (as he said) "produce an attitude of hopelessness toward any attempt to prepare to meet Communist forces in ground combat." The purpose in other words was to encourage NATO to build up its conventional forces. The very day the President was talking to the UN in such inspiring terms of the need to end the cold war and divert arms spending to a global attack on poverty, the Secretary of Defense was urging NATO members to spend more on arms, both on bigger conventional forces and on the multilateral nuclear NATO force. We continue to press for this even while assuring the world, as Johnson did the UN that we want "to prevent the dissemination of nuclear weapons to nations not now possessing them." Rarely have words and deeds been so beautifully mismatched. *Dec. 30*

## Truman Warns Against The CIA

**Too little attention has been paid the syndicated article (Washington Post, Dec. 22) in which former President Truman, who set up the Central Intelligence Agency, declared the time has come to "take another look" at its operations. Mr. Truman wrote that he never intended its use in "peacetime cloak and dagger operations" and that he now feels "there is something about the way the CIA has been functioning that is casting a shadow" over our institutions. We hope that Senators like Mansfield, who have long advocated the setting up of a joint committee to exercise some check on CIA, will arrange for hearings on several such pending bills and ask Mr. Truman to testify. Present supervision is negligible. When Lindsay of New York delivered a comprehensive speech on this in the House last August 16, Norblad of Oregon interrupted to say that the Armed Services subcommittee which is supposed to keep an eye on the CIA and of which he was a member "met annually one time a year for a period of two hours in which we accomplished virtually nothing." The U.S. today has the sinister distinction of being the only government in the world with a cloak-and-dagger agency which overthrows and sometimes has a hand in killing the rulers of countries with which we are at peace. One of these days, unless stopped, they may try to do at home what they have been accustomed to doing abroad.**

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